

GAHC040000802024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : BA/3/2024

Taring Tanik
S/o Late Taring Epo, Juli Village, PO Itanagar, Papumpare District, AP

VERSUS

The State of AP and Anr
represented by the PP of AP 2:Biki Mary
Age: 0
Occupation

Advocate for the Petitioner : Subu Koyang

Advocate for the Respondent : P P of AP

BEFORE
HONBLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 05.03.2024

Heard Mr. S. Koyang, learned counsel appearing for the petitioner. Also heard Mr. G. Tado, learned Additional Public Prosecutor for the State respondent No. 1 and Mr. M. Bagra, learned counsel appearing for the respondent No. 2.

This is an application under Section 438 of the Code of Criminal Procedure, 1973, praying for grant of bail to the accused/petitioner, namely, **Shri Biki Doni**, who is facing trial in connection with Itanagar P.S. Case No. 00/2023 under Section 376 IPC read with Section 6 of POCSO Act, 2012, subsequently registered as Palin P.S. Case No. 12/2023 under Section 376 IPC read with Section 6 of POCSO Act, 2012 and registered in the Court as POCSO Case (Z) No. 04/2023.

It is alleged in the FIR that the present accused/petitioner, namely, **Shri Biki Doni** has committed rape upon his own daughter.

During the trial of the case, the victim has stated that she has lodged the false accusation against her father.

On the other hand, the informant Smti. Biki Mary has submitted that she had no objection if the accused/petitioner is allowed to go on bail.

I have considered the submissions made by the learned counsel for both the sides.

Accordingly, the prayer for bail is allowed.

The accused/petitioner Shri Biki Doni shall be released on bail of Rs. 25,000/- (Rupees twenty-five thousand) only with one surety of like amount to

the satisfaction of the learned Special Judge (POCSO), Lower Subansiri District, Ziro.

In view of the above, the bail application stands disposed of.

JUDGE

Comparing Assistant